HON'BLE SRI JUSTICE R. SUBHASH REDDY

W.P.No.16137 of 2006

Dated 3rd August 2006

Between:

J.Nagesh S/o Hanumantha Rao, aged 42 years
Deputy Executive Engineer & i/c Executive Engineer
O/o Social Welfare, Engineering Wing, Khammam district

… Petitioner

And:

The Vice-Chairman & Managing Director,
A.P. Scheduled caste Cooperative Finance
Corporation (APSCCFC) Ltd, Hyderabad
& 3 others

… Respondents

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ORDER:

The petitioner, who is working as regular Deputy Executive Engineer of A.P. Scheduled Caste Cooperative Finance Corporation (APSCCFC) Limited, has filed this Writ Petition questioning the impugned proceedings in letter No.A2/1005/APSC/06 dated 14.07.2006 issued by the Vice Chairman & Managing Director, APSCCFC Limited - 1st respondent.

It is the case of the petitioner, though his regular post is Deputy Executive Engineer, earlier orders were passed on 05.05.2006 by which he was made in-charge of Executive Engineer. But however, no regular incumbent is posted as Executive Engineer. Thereafter, impugned order is passed by posting 4th respondent as in-charge Executive Engineer in place of the petitioner. It is the case of the petitioner that as he was already posted as in-charge Executive Engineer, he cannot be replaced by 4th respondent.

However, it is to be seen that the petitioner has been appointed in the substantive post of Deputy Executive Engineer. Merely because he is made in-charge Executive Engineer for some time, he cannot claim any right to continue as such. Whether the petitioner or the 4th

respondent has to be continued as in-charge Executive Engineer is a matter of administrative exigency, which is the exercise of the Appointing Authority in day-to-day administration. In that view of the matter, I do not find any illegality in the order dated 14.07.2006. The writ petition is devoid of any merits.

Accordingly, the writ petition is dismissed. No order as to costs.

R. SUBHASH REDDY, J

Dated: 3rd AUGUST 2006

BSS